

**U.S. DEPARTMENT OF STATE
BUREAU OF COUNTERTERRORISM
Notice of Funding Opportunity**

Funding Opportunity Title: Building the Capacity of the CT Court Tribunals Administration and Security

Funding Opportunity Number: DFOP0013435

Deadline for Applications: Monday, June 3, 2024

Assistance Listing Number: 19.701

Total Amount Available: \$1,071,534

Deadline for Receipt of Questions: Wednesday, April 17, 2024, 5:00pm EST

A. PROGRAM DESCRIPTION

The Bureau of Counterterrorism (CT) of the U.S. Department of State announces an open competition for organizations to submit applications to provide assistance to build the capacity of Philippines counterterrorism courts so they can safely and effectively operate, manage cases, and secure court facilities in order to successfully try and adjudicate terrorism-related cases in a timelier fashion.

In response to the pressing need to enhance the capacity of counterterrorism courts in Mindanao, we are pleased to announce this pilot project aimed at bolstering the justice system's effectiveness in combatting terrorism. Mindanao, a region grappling with persistent security challenges, requires targeted efforts to strengthen its legal infrastructure and modernize court administration processes. Through this initiative, we aim to empower the Philippine judiciary to efficiently prosecute terrorism cases while upholding due process and human rights standards.

The Philippines has long been confronted with the threat of terrorism, particularly in the southern region of Mindanao. Despite significant strides in counterterrorism operations, the country's legal mechanisms require a more modern approach to handle the complexities of prosecuting terrorism cases, to include the digitization of the court's docket and courts administrative procedures. Counterterrorism courts play a pivotal role in ensuring that perpetrators are brought to justice swiftly and fairly. However, these courts often face resource constraints and lack specialized training, hindering their efficacy.

This program needs to be aligned with the Philippines Department of Justice (PDOJ) Strategic Plan for Judicial Innovations and coordinated with CT-funded DOJ/OPDAT assistance. The initial counterterrorism court for this pilot project is the 9th Judicial Region Hall of Justice in Zamboanga.

By investing in the capacity-building of counterterrorism courts in Mindanao, we aim to contribute to a more resilient and effective justice system capable of confronting the threat of

terrorism. Through targeted interventions and collaborative efforts, we aspire to uphold the rule of law, protect human rights, and promote peace and security in the region.

Please follow all instructions below.

Priority Country or Region: Philippines

Program Objective(s):

1. Conduct a comprehensive assessment of existing infrastructure, administrative procedures, and current practices in counterterrorism courts in Zamboanga (possibly Sulu), Mindanao.
2. Increase efficacy and efficiency of court administrations to improve current processes and eventual adjudication of counterterrorism cases.
3. Enhance security arrangement and management of the counterterrorism courts and their premises through quick impact projects, including activities such as the retrofitting or hardening of the Judge's Chambers.
4. Provide a robust methodology for assessing the effects of project activities toward achieving project objectives. This should include indicators and data collection tools within the project's performance monitoring plan (PMP) that can demonstrate evidence-based changes in the capacity and processes of Counterterrorism Court Tribunals Administration and Security.

Participants and Audiences:

- Counterterrorism Court Judges, Prosecutors and administrative staff
- Judicial sector, including both counterterrorism judges and district judges hearing terrorism and terrorism finance cases, prosecutors, defense attorneys, court security and legal aid elements.
- Terrorism investigators in the law enforcement sector who require input from judges and prosecutors to strengthen terrorism and terrorism finance cases, including through the incorporation of digital evidence.
- The Philippines Anti-money laundering council, charged with investigating and reporting on money laundering and terrorism finance.

B. FEDERAL AWARD INFORMATION

Length of performance period: 36 months
Number of awards anticipated: At least one award
Award amounts: Full amount available
Total available funding: \$1,071,534
Type of Funding: FY23 NADR/CTPF
Anticipated program start date: September 30, 2024

This notice is subject to availability of funding.

Funding Instrument Type: Grant

Program Performance Period: Proposed programs should be completed in 36 months or less.

C. ELIGIBILITY INFORMATION

1. Eligible Applicants

The following organizations are eligible to apply:

- Not-for-profit organizations, including think tanks and civil society/non-governmental organizations
- Public and private educational institutions
- Public International Organizations (PIOs) and Governmental institutions

2. Cost Sharing or Matching

Providing cost sharing, matching, or cost participation is not an eligibility factor or requirement for this NOFO and providing cost share will not result in a more favorable competitive ranking.

3. Other Eligibility Requirements

In order to apply, each applicant must have a Unique Entity Identifier (UEI) and an active registration with the SAM.gov **before submitting an application**. Please see Section D.8 for information on how to obtain these registrations.

Applicants are only allowed to submit one proposal per organization. If more than one proposal is submitted from an organization, all proposals from that institution will be considered ineligible for funding.

D. APPLICATION AND SUBMISSION INFORMATION

1. Address to Request Application Package

Application forms required below are available on MyGrants.

2. Content and Form of Application Submission

Please follow all instructions below carefully. Proposal submissions that fail to comply with the stated requirements or do not meet **all** the requirements outlined in this NOFO will be deemed technically ineligible.

Content of Application

Please ensure:

- The proposal clearly addresses the goals and objectives of this funding opportunity
- All documents are in English
- All budgets are in U.S. dollars
- All pages are numbered
- All documents are formatted to 8 ½ x 11 paper, and
- All Microsoft Word documents are single-spaced, 12-point Times New Roman font, with a minimum of 1-inch margins.

The following documents are **required**:

1. Mandatory application forms

- **SF-424 (*Application for Federal Assistance – organizations*)**
- **SF-424A (*Budget Information for Non-Construction programs*)**
- **SF-424B (*Assurances for Non-Construction programs*)**
- **SF-270 (*Request for Advance and Reimbursement – foreign organizations only*)**

2. Summary Page: Cover sheet stating the applicant name and organization, proposal date, program title, program period proposed start and end date, and brief purpose of the program.

3. Proposal (10 pages, excluding title page, table of contents, attachments, audit, mandatory application forms): The proposal should contain sufficient information that anyone not familiar with it would understand exactly what the applicant wants to do. You may use your own proposal format, but it must include all the items below.

- **Table of Contents:** Lists application contents and attachments and the page number they can on which each begins.
- **Proposal Summary:** Short narrative that outlines the proposed program, including program objectives and anticipated impact.
- **Introduction to the Organization applying:** A description of past and present operations, showing ability to carry out the program, including information on all previous grants from the U.S. Embassy and/or U.S. government agencies.
- **Problem Statement:** Clear, concise, and well-supported statement of the problem to be addressed and why the proposed program is needed.
- **Program Goals:** The highest-order outcome or end state to which a program, project, process or policy is intended to contribute.
- **Program Objectives:** A statement of the condition or state one expects to achieve toward accomplishing a program, project, or process goal. These should be SMART (Specific, Measurable, Achievable, Relevant, and Timebound).
- **Program Activities:** A specific action undertaken over a specific period of time through which inputs are mobilized to produce specific outputs. An activity can be a sub-component of a program, project, or process.
- **Program Methods and Design:** A description of how the program is expected to work to solve the stated problem and achieve the goal. Include a logic model, as appropriate, which is a rigorous methodology used for program or project design that focuses on the

causal linkages between project inputs, activities, outputs, short-term outcomes, and long-term outcomes. It is a visual representation that shows the sequence of related events connecting a planned program's objectives with its desired outcomes. A logic model template will be provided, and an example can be made available upon request.

- **Proposed Program Schedule and Timeline:** The proposed timeline for the program activities. Include the dates, times, and locations of planned activities and events.
- **Key Personnel:** Names, titles, roles, responsibilities, and experience/qualifications of key personnel involved in the program. State the proportion of their time that will be used to support the program.
- **Program Partners:** List the names and type of involvement of key partner organizations and sub-awardees.
- **Gender Analysis:** Proposal must include a gender analysis that is contextualized by the geographic area where the applicant proposes to program; demonstrates how the proposed program accounts for the different ways in which it might impact and be impacted by different genders; and identifies challenges and opportunities for narrowing gender inequalities. This should be a standalone document rather than a section of the proposal narrative.
- **Future Funding or Sustainability:** Applicant's plan for continuing the program beyond the grant period, or the availability of other resources, if applicable.

4. Budget (preferably as an Excel workbook) that includes three (3) columns containing the request to CT, any cost sharing contribution, and the total budget. A summary budget should also be included using the OMB-approved budget categories (see SF-424A as a sample) in a separate tab. Costs must be in U.S. Dollars. Detailed line-item budgets for sub-grantees should be included as additional tabs within the Excel workbook (if available at the time of submission).

Applicants must submit budget proposals with requested funding broken down by funding type, based on based on (1) the type of funding, (2) the funding year of funds, and/or (3) the number of Foreign Assistance Data Review (FADR) Data Elements. Please reference the "Total Funding Floor" and "Total Funding Ceiling" sections on Page 1 of this NOFO for funding types allocated to this NOFO. Budget proposals must include a separate "Detailed Budget" tab in the Excel budget workbook for each type of funding identified in the NOFO. Please see attached Budget Guidelines for FADR (Dec 2021) for more information.

5. Budget Narrative (preferably as a Word Document) Justify each line-item in the budget and explain how the amounts were derived, consistency with the applicant's documented policies, as well as the source and description of all proposed costs (and cost-share, if applicable). The narrative should complement the budget rather than repeat information provided in the budget. For example, the narrative should provide details on the purpose of costs, reasonability of costs, cost price analysis, explain allocations, explain any yearly variances, and tie expenses to program activities and/or objectives where appropriate. Sources of all cost-share offered in

the application should be identified and explained in the budget narrative. See Tab 1 Budget Guidelines for FADR (Dec 2021) for more information.

6. Audits: Include a copy of your organization’s most recent audit (single or program audit), if applicable, or the annual financial statement audit. Please refer to the 2 CFR 200 for requirements. This document will not be reviewed by the review panel and will not be counted against the page limitations. The applicant’s proposal may include the cost of an audit that:

- Complies with the requirements of 2 CFR 200 Subpart F “Audit Requirements”
- Complies with the requirements of American Institute of Certified Public Accountants (AICPA) Statement of Position (SOP) No. 92-9, “Audits of Not-for-Profit Organizations Receiving federal Awards”
- Complies with AICPA Codification of Statements on Auditing Standards AU Section 551, “Reporting on Information Accompanying the Basic Financial Statements in Auditor-Submitted Documents,” where applicable. A non-federal entity that expends \$750,000 or more in all USG federal assistance awards during the non-federal entity's fiscal year is required to conduct a single or program-specific audit for that year in accordance with the provisions of 2 CFR 200 subpart F. For more information, see Audit Services, 2 CFR 200.425.

7. Attachments

- 1-page CV or resume of key personnel who are proposed for the program
- Letters of support from program partners describing the roles and responsibilities of each partner
- If your organization has a Negotiated Indirect Cost Rate Agreement (NICRA) and includes NICRA charges in the budget, your latest NICRA should be included as a PDF file
- Official permission letters, if required for program activities
- Risk analysis: Identify the internal and external risks associated with the proposed project, rate the likelihood of the risks, rate the potential impact of the risks on the project, and identify actions that could help mitigate the risks

8. Unique Entity Identifier and System for Award Management (SAM.gov) Required Registrations

All prime organizations, whether based in the United States or in another country, must have an active registration in SAM.gov and a Unique Entity Identifier (UEI) (assigned upon registration to SAM.gov) **before submitting an application**. If an organization is not present and active in SAM.gov, it cannot receive funding in MyGrants; CT may **not** review applications from or make awards to applicants that have not completed all applicable UEI and SAM.gov requirements. A UEI is one of the data elements mandated by Public Law 109-282, the Federal Funding Accountability and Transparency Act (FFATA), for all Federal awards.

The 2 CFR 200 requires that sub-grantees obtain a UEI number. Please note the UEI for sub-grantees is not required at the time of application but will be required before the award is processed and/or directed to a sub-grantee.

Note: The process of obtaining a SAM.gov registration may take anywhere from 4-8 weeks. Please begin your registration as early as possible.

- Organizations **based in the United States** or that pay employees within the United States will need an Employer Identification Number (EIN) from the Internal Revenue Service (IRS) and a Commercial and Government Entity (CAGE) code prior to registering in SAM.gov.
- Organizations **based outside of the United States** and that do not pay employees within the United States do not need an EIN from the IRS. **Please note that as of December 2022, organizations based outside of the United States that do not intend to apply for U.S. Department of Defense (DoD) awards are no longer required to have a NATO CAGE (NCAGE) code to apply for non-DoD foreign assistance funding opportunities.** If an applicant organization is mid-registration and wishes to remove an NCAGE code from their sam.gov registration, the applicant should submit a help desk ticket ("[incident](#)") with the Federal Service Desk (FSD) online at www.fsd.gov using the following language: "I do not intend to seek financial assistance from the Department of Defense. I do not wish to obtain a CAGE or NCAGE code. I understand that I will need to submit my registration after this incident is resolved in order to have my registration activated."

All prime organizations must also continue to maintain active SAM.gov registration with current information at all times during which they have an active Federal award or application under consideration by a Federal award agency, regardless of whether the application/award is posted on MyGrants or SAM.gov. SAM.gov requires all entities to renew their registration once a year in order to maintain an active registration status in SAM. It is the responsibility of the applicant to ensure it has an active registration in SAM.gov and to maintain that active registration. Whenever an organization registers, reactivates, or modifies information on SAM.gov, it must notify the grantor POC. If an applicant has not fully complied with the requirements at the time of application, the applicant may be deemed technically ineligible to receive an award and use that determination as a basis for making an award to another applicant.

Note: SAM.gov is not the same as MyGrants. These systems are separate and unique but integrate with one another. MyGrants is the system for applying to federal assistance, countersigning awards, and managing post-award documentation within the Department of State, while Grants.gov is a website through which federal agencies post discretionary funding opportunities for grantees. **It is free of charge to register in both systems, but the registration processes are different.** Applicants **must** register in SAM.gov prior to registering for MyGrants, as the UEI Number acquired upon SAM.gov registration is required to register for MyGrants.

Information is included on the SAM.gov website to help international registrations, including [“Quick Start Guide for International Registrations”](#) and “Helpful Hints.” Navigate to www.SAM.gov, click “HELP” in the top navigation bar, then click, “Explore” and “New to SAM.gov?” for general information. Please note, guidance on SAM.gov and the guidance on GSA’s website about requirement for registering in SAM.gov is subject to change. Applicants should review the website for the most up-to-date guidance.

To create a MyGrants user account, go to <https://mygrants.servicenowservices.com/mygrants>, click the “Create an Account” link, and click the “Create a MyGrants Applicant/Grantee Account” button. Applicants will then receive an email providing instructions to set up multi-factor authentication. Award recipients **must** use multi-factor authentication to log into MyGrants.

Exemptions

An exemption from these requirements may be permitted on a case-by-case basis if:

- An applicant’s identity must be protected due to potential endangerment of their mission, their organization’s status, their employees, or individuals being served by the applicant.
- For an applicant, if the Federal awarding agency makes a determination that there are exigent circumstances that prohibit the applicant from receiving a UEI and completing SAM registration prior to receiving a Federal award. In these instances, Federal awarding agencies must require the recipient to obtain a UEI and complete SAM registration within 30 days of the Federal award date.

Organizations requesting exemption from UEI or SAM.gov requirements must email the point of contact listed in the NOFO at least **two weeks prior to the deadline of the NOFO providing a justification of their request**. Approval for a SAM.gov exemption must come from the warranted Grants Officer before the application can be deemed eligible for review.

1. Submission Dates and Times

Applications are due no later than 17:00 on 6/3/2024

2. Funding Restrictions

Leahy Law Vetting: Funds provided under this award are subject to Section 620M of the Foreign Assistance Act of 1961, as amended, a provision titled “Limitation on Assistance to Security Forces” (the “Leahy Amendment”). The Department of State implements the Leahy

Amendment requirement by vetting units or individuals proposed for training or other assistance to check for credible information of a gross violation of human rights by such units or individuals. "Security forces" personnel include member of a foreign police or military unit who will participate in any activity under this award. This includes both civilian and military employees of security forces participating in any activities funded under this award, including training, workshops or meetings, conferences, or other activities.

3. Other Submission Requirements

All application materials must be submitted electronically through www.Grants.gov or MyGrants.

E. APPLICATION REVIEW INFORMATION

1. Criteria

Each application will be evaluated and rated on the basis of the evaluation criteria outlined below. Criteria are listed in order of importance.

1. **Quality and Feasibility of the Program Idea:**

- The proposal responds to the NOFO and is appropriate in the context of the proposed country/region.
- The proposal exhibits originality but is feasible.
- The program idea is well developed, with detail about how program activities will be carried out.
- The proposal includes a reasonable implementation timeline.
- The proposal directly connects proposed activities with the desired outcomes (goals and objectives).
- The proposal includes a thoughtful gender analysis and reflects its findings in the program design.

2. **Program Planning/Ability to Achieve Objectives:**

- The proposal provides a detailed and logical work plan of proposed project activities and includes a clear articulation of how these activities will contribute to or align with the overall project's goals and objectives.
- The project activities articulated in the proposal are specific, measurable, attainable, relevant, and time bound (SMART).
- The proposal provides a plan to de-conflict (or complement, if appropriate) with other organizations active in the CT/CVE space writ large or in the proposed project country.
- The proposal addresses how the project will engage or obtain support from relevant stakeholders, including host government to obtain access and conduct programming.

- The proposal includes a contingency plan to account for delays in implementation, achieving project objectives, or other timeline issues, that may be a result of the COVID-19 pandemic and associated travel and movement restrictions.

3. Organizational Capacity and Record on Previous Grants:

- The organization has expertise in its stated field and has the internal controls in place to manage federal funds, including a financial management system and a bank account
- The proposal demonstrates an institutional record of previous successfully implemented projects in issues and regions outlined in this NOFO.
- The proposal articulates past performance and experience in working with relevant host governments, local organizations, and communities.
- The proposal clearly defines the roles and responsibilities of primary staff under this project and relevant counterterrorism expertise.
- The proposal describes the division of labor among the recipient organization and potential implementing partner organization(s) and identifies local partner organization(s) that would assist with implementation, where appropriate.

4. Cost Effectiveness:

- The administration of the proposal budget, including salaries and honoraria, are explained and justified for the work involved.
- Proposed costs are reasonable and necessary and linked to program objectives and demonstrate efficient use of U.S. Government funds.
- Contingency plan demonstrates efficient use of U.S. Government funds.
- The budget justification is detailed.
- Costs are reasonable in relation to the proposed activities and anticipated results.
- The budget is realistic, accounting for all necessary expenses to achieve proposed activities.

5. Program Methods and Design:

- The proposal includes narrative explaining how monitoring will be carried out and who will be responsible for monitoring activities (including potential contracted experts, if applicable).
- The proposal provides realistic methods for measuring changes that can be correlated with project implementation. These methods may include pre/post testing of assistance recipients or target audiences, and public perception polling.
- The proposal includes a logical framework that sequentially maps how project activities are expected to produce results including project inputs, activities, outputs, short-term outcomes, and long-term outcomes.
- The proposal includes gender-specific indicators as well as sex and age disaggregation of indicator.

6. Sustainability of Impact:

- Clearly delineates how program will be sustainable with beneficiaries beyond the life of the grant.
- Clearly outlines plan how impact will be maintained by applicant or others after the grant or if follow on engagements will be required.

2. Review and Selection Process

A review committee will evaluate all eligible applications. CT will conduct a merit review of all eligible applications as outlined in this NOFO. Applications will be reviewed by an independent review panel consisting of qualified subject matter experts from other Department of State bureaus and offices, U.S. Embassies, or other U.S. Government agencies. Final approval resides with the Department of State Grants Office.

3. Responsibility/Qualification Information in SAM.gov

The Federal awarding agency, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the U.S. government designated integrity and performance system accessible through SAM.gov (see 41 U.S.C. 2313);

An applicant, at its option, may review and comment on any information about itself that a Federal awarding agency previously entered. Currently, federal agencies create integrity records in the integrity module of the Contractor Performance Assessment and Reporting System (CPARS) and these records are visible as responsibility/qualification records in SAM.gov.

The Federal awarding agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in §200.206 Federal awarding agency review of risk posed by applicants.

4. Anticipated Announcement and Federal Award Dates

The successful applicant will receive notification within approximately nine to twelve weeks of the closing of this announcement. Time to award will depend on the date of NOFO close and availability of funding. The U.S. Department of State is under no obligation to fund any of the proposals submitted under this funding opportunity.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

The grant award will be written, signed, awarded, and administered by the Grants Officer. The assistance award agreement is the authorizing document, and it will be provided to the

recipient for review and signature by email. The recipient may only start incurring program expenses beginning on the start date shown on the grant award document signed by the Grants Officer.

If a proposal is selected for funding, the Department of State has no obligation to provide any additional future funding. Renewal of an award to increase funding or extend the period of performance is at the discretion of the Department of State.

Issuance of this NOFO does not constitute an award commitment on the part of the U.S. government, nor does it commit the U.S. government to pay for costs incurred in the preparation and submission of proposals. Furthermore, the U.S. government reserves the right to reject any or all proposals received.

Payment Method: The Department has mandated PMS to be the sole electronic payment method for domestically awarded Federal financial assistance to U.S.-based organizations where the recipient is expected to receive multiple payments. PMS is not usually used for awards where the recipient will receive a single lump-sum payment.

2. Administrative and National Policy Requirements

CT requires all recipients of foreign assistance funding to comply with all applicable Department and Federal laws and regulations, including but not limited to the following:

The Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards set forth in 2 CFR Chapter 200 (Sub-Chapters A through F) shall apply to all non-Federal entities, except for assistance awards to Individuals and Foreign Public Entities. Sub-Chapters A through E shall apply to all foreign organizations, and Sub-Chapters A through D shall apply to all U.S. and foreign for-profit entities. The applicant/recipient of the award and any sub-recipient under the award must comply with all applicable terms and conditions, in addition to the assurance and certifications made part of the Notice of Award. The Department's Standard Terms and Conditions can be viewed at <https://www.state.gov/about-us-office-of-the-procurement-executive/>.

Before submitting an application, applicants should review all the terms and conditions and required certifications which will apply to this award, to ensure that they will be able to comply. These include:

- [2 CFR 25 - UNIVERSAL IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT](#)
- [2 CFR 170 - REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION](#)
- [2 CFR 175 - AWARD TERM FOR TRAFFICKING IN PERSONS](#)
- [2 CFR 182 - GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE \(FINANCIAL ASSISTANCE\)](#)

- [2 CFR 183 - NEVER CONTRACT WITH THE ENEMY](#)
- [2 CFR 600 – DEPARTMENT OF STATE REQUIREMENTS](#)
- [U.S. DEPARTMENT OF STATE STANDARD TERMS AND CONDITIONS](#)

In accordance with the Office of Management and Budget’s guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department of State will review and consider applications for funding, as applicable to specific programs, pursuant to this notice of funding opportunity in accordance with the following: NOTE:

- President’s September 2, 2020 memorandum, entitled *Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds that Are Permitting Anarchy, Violence, and Destruction in American Cities*;
- *Executive Order on Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence* (E.O. 13933); and
- [Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations](#) (2 CFR), as updated in the Federal Register’s 85 FR 49506 on August 13, 2020, particularly on:
 - Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR part 200.205),
 - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115—232) (2 CFR part 200.216),
 - Promoting the freedom of speech and religious liberty in alignment with *Promoting Free Speech and Religious Liberty* (E.O. 13798) and *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities* (E.O. 13864) (§§ 200.300, 200.303, 200.339, and 200.341),
 - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322), and
 - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340).

Due to the determination made under the Trafficking Victims Protection Act (TVPA) for FY 2022, assistance that benefits the governments of the following countries may be subject to a restriction under the TVPA. The Department of State determines on a case-by-case basis what constitutes assistance to a government; the general principles listed below apply.

Assistance to the government includes:

- All branches of government (executive, legislative, judicial) at all levels (national, regional, local);

- Public schools, universities, hospitals, and state-owned enterprises, as well as government employees;
- Cash, training, equipment, services, or other assistance provided directly to the government, assistance provided to an NGO or other implementer for the benefit of the government, and assistance to government employees.

Subject to TVPA for funds obligated during FY 2023:

AF: Eritrea, Guinea-Bissau, South Sudan

EAP: Burma, China (PRC), Malaysia, North Korea

EUR: Belarus, Russia

NEA: Iran, Syria

SCA: Afghanistan

WHA: Cuba, Curacao, Nicaragua, Sint Maarten

Additional requirements may be included depending on the content of the program.

3. Reporting

Reporting Requirements: Recipients will be required to submit financial reports and program reports. Applicants should be aware of the post award reporting requirements reflected in [2 CFR 200 Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#). At a minimum, written quarterly financial and program reports should be sent to CT’s reporting mailbox at ctprogramsreporting@state.gov, the GOR, and uploaded to MyGrants. The grant recipient agrees to use CT’s program reporting template, describing key activities undertaken during the reporting period towards accomplishment of the state objectives. The award document will specify how often these reports must be submitted.

Recipients will be required to develop and submit a performance monitoring plan detailing how progress towards program objectives will be measured. The grant recipient agrees to use CT’s performance monitoring plan template to indicate the indicator(s) they will use to evaluate program objectives, the target value, and how data will be collected (data source, frequency, and person responsible) to be reported out in quarterly performance reports. A “how to” guide may also be made available upon request.

NOTE: Delays in reporting may result in delays of payment approvals and failure to provide required reports may jeopardize the recipients’ ability to receive future U.S. government funds. CT reserves the right to request any additional programmatic and/or financial project information during the award period of performance.

It is the Department of State policy that English is the official language of all award documents. If reports or any other supporting documents are provided in both English and a foreign language, it must be stated in each version that the English language version is the controlling version. U.S. dollar is the controlling currency. Financial reports must be submitted in U.S. dollars.

Applicants should be aware of the post award reporting requirements reflected in 2 CFR 200 Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters.

Foreign Assistance Data Review: As required by Congress, the Department of State must make progress in its efforts to improve tracking and reporting of foreign assistance data through the Foreign Assistance Data Review (FADR). The FADR requires tracking of foreign assistance activity data from budgeting, planning, and allocation through obligation and disbursement. Successful applicants will be required to report and draw down federal funding based on the appropriate FADR Data Elements, indicated within their award documentation. In cases of more than one FADR Data Element, typically program or sector and/or regions or country, the successful applicant will be required to maintain separate accounting records.

G. FEDERAL AWARDING AGENCY CONTACTS

If you have any questions about the grant application process, please contact: Kaitlyn Corson, CorsonKL@state.gov.

For assistance with SAMS/MyGrants accounts and technical issues related to the system, please contact the ILMS help desk by phone at +1 (888) 313-4567 (toll charges apply for international callers) or through the Self Service online portal that can be accessed from <https://afsitsm.service-now.com/ilms/home>. Customer support is available 24/7.

For assistance with Grants.gov accounts and technical issues related to using the system, please call the Contact Center at +1 (800) 518-4726 or email support@grants.gov. The Contact Center is available 24 hours a day, seven days a week, except federal holidays.

H. OTHER INFORMATION

H.1 The information in this NOFO is binding and may not be modified by any CT representative. Explanatory information provided by CT that contradicts this language will not be binding. Issuance of this NOFO does not constitute an award commitment on the part of the U.S. government, nor does it commit the U.S. government to pay for costs incurred in the preparation and submission of proposals. Further, the U.S. government reserves the right to reject any or all proposals received.

H.2. Freedom of Information Act

Applicants should be aware that CT understands that some information contained in applications may be considered sensitive or proprietary and will make appropriate efforts to protect such information. However, applicants are advised that CT cannot guarantee that such information will not be disclosed, including pursuant to the Freedom of Information Act (FOIA) or other similar statutes.

H.3. Marking Policy

Applicants are advised that recipients and sub-recipients of Federal assistance awards are subject to the State Department's Marking Policy. More information on this policy can be found in Section N of the Department of State Standard Terms and Conditions.

H.4. Evaluation Policy

Applicants are advised that recipients and sub-recipients of Federal assistance awards are subject to the Department of State Evaluation Policy. More information on this policy can be found here: Department of State Managing for Results.

H.5. Monitoring Site Visits

A monitoring site visit, at least once during the lifetime of an award, may be conducted by Department of State personnel. The site visit is conducted to gather additional information on the recipient's ability to properly implement the project, manage Department of State funds and share substantiating document for programmatic and financial reporting. Specifically, the site visit may involve the review of the programmatic progress (progress on activities, sub-recipient/consultant work, etc.) as well as administrative and financial management controls. This may include observing classroom modules virtually or in person and visit applicant's headquarters and regional offices to observe operations.

H.6. Privacy Disclosure

The Department of State understands that some information contained in applications may be considered sensitive or proprietary and will make appropriate efforts to protect such information. However, applicants are advised that the Department of State cannot guarantee that such information will not be disclosed, including pursuant to the Freedom of Information Act (FOIA) or other similar statutes.

H.7. Mandatory disclosures (2 CFR 200.113)

Non-federal entity, applicant or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Non-federal entities that have received a Federal award including the term and condition outlined in Appendix XII of the 2 CFR 200—Award Terms and Conditions for Recipient Integrity and Performance Matters -- are required to report certain civil, criminal, or administrative proceedings to www.sam.gov. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for Noncompliance, including suspension or debarment.

Guidelines for Budget Justification

Personnel and Fringe Benefits: Describe the wages, salaries, and benefits of temporary or permanent staff who will be working directly for the applicant on the program, and the percentage of their time that will be spent on the program.

Travel: Estimate the costs of travel and per diem for this program, for program staff, consultants or speakers, and participants/beneficiaries. If the program involves international travel, include a brief statement of justification for that travel.

Equipment: Describe any machinery, furniture, or other personal property that is required for the program, which has a useful life of more than one year (or a life longer than the duration of the program), and costs at least \$5,000 per unit.

Supplies: List and describe all the items and materials, including any computer devices, that are needed for the program. If an item costs more than \$5,000 per unit, then put it in the budget under Equipment.

Contractual: Describe goods and services that the applicant plans to acquire through a contract with a vendor. Also describe any sub-awards to non-profit partners that will help carry out the program activities.

Other Direct Costs: Describe other costs directly associated with the program, which do not fit in the other categories. For example, shipping costs for materials and equipment or applicable taxes. All "Other" or "Miscellaneous" expenses must be itemized and explained.

Indirect Costs: These are costs that cannot be linked directly to the program activities, such as overhead costs needed to help keep the organization operating. If your organization has a Negotiated Indirect Cost Rate (NICRA) and includes NICRA charges in the budget, attach a copy of your latest NICRA. Organizations that have never had a NICRA may request indirect costs of 10% of the modified total direct costs as defined in 2 CFR 200.68.

"Cost Sharing" refers to contributions from the organization or other entities other than the U.S. Embassy. It also includes in-kind contributions such as volunteers' time and donated venues.

Alcoholic Beverages: Please note that award funds cannot be used for alcoholic beverages.